

U. S. BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA

**ABINGDON CALENDAR - AUGUST 17, 2005**

(The Honorable William F. Stone, Jr. Presiding)

(Start: \_\_\_\_\_ Recess: \_\_\_\_\_ ♦ Resume: \_\_\_\_\_ Stop: \_\_\_\_\_ ♦ Trials: \_\_\_\_\_ Proceedings \_\_\_\_\_)

Attys:                      Debtors:    Case Nos.:                      Trustees:

**9:30 A.M. - PRE-TRIAL CONFERENCES**

Lawson	LAMBERT OIL COMPANY AP 05-07043: Recover Money or Property William F. Callahan Jr. Trustee (Callahan) v. Petro Stopping Center #72 <u>Answer: 4/22; # 5 (Lamie)</u>	03-1183	Callahan/GR
Lamie	THOMAS AND ELLEN VAN DYKE A/P 04-07121 dischargeability (523); Amended Complaint filed 6/20 #15 (added additional party defendant * Carolyn Foglesong (J. Jessee) v. Debtors (Lamie) & *Highlands Union Bank <u>Answer of Debtor/defendant to Amended Complaint filed 7/8; # 17 (Lamie)</u> <u>Answer of Highlands Union Bank to Amended Complaint filed 7/8 # 18 (Hutton)</u> <u>Motion of Highlands Union Bank to Dismiss Complaint filed 7/22; # 19 (Hutton)</u>	04-03479	Vogel/LM
Money	REBA ATKINS AP 05-07082: Det. Dischargeability Debtor v. U. S. Dept of Education (                      ) <i>Defendant's Motion to Dismiss Adversary filed 8/1 and scheduled for 9/7 @ 10</i> <b><i>ORDER entered continuing pre-trial to 9/7 @ 10:00</i></b>  AP 05-07083: Det dischargeability Debtor v. Wytheville Community College (                      )	05-71290	Vogel/NS

**10:00 A.M. - MISCELLANEOUS**

McDaniel	CHARLIE HATFIELD Motion of Trustee to Dismiss case for failure to cooperate with trustee and failure to appear at meeting of creditors filed 6/24; #9	05-71605	Wick/JM
Jessee	RANDALL BRICKEY Trustee Objection to Claim #2 of MedPeds, filed 6/27; # 31, 32	03-3410	Shortridge/SO

**9:30 A.M. - PRE-TRIAL CONFERENCES**

Farthing      JAMES & MARLEE BERTRAM      05-72492      Callahan/NS  
Motion for Relief - fled 7/7; # 7, 8 9 10 by PHH Mortgage Corp (Stewart), cont  
*from 8/3*

Arey      CECIL & MARY LEE      05-70661      Wick/SL  
Debtor Motion to Redeem property upon which Wells Fargo Bank has  
lien - filed 5/26; # 22, 23, 27, 29 - *cont all matters from 7/6*

Motion for Relief - filed 4/25; # 10, 11, 12, by Wells" Faro Bank NA (Jaffe)  
Answer to motion filed 5/26; # 24 (following entry of default order of 5/20  
Motion & Notice to Reconsider Order of 5/20 granting relief filed 6/3; # 29

Jessee, J      ALAN & TINA MCKINNEY      05-70793      Wick/NS  
Motion to Avoid Lien of Bank of America filed 6/3; # 10, 11, *cont from 7/6*  
**Amended Notice** filed 7/7; # 15

Farthing      SUZANNE CROCKETT      05-72490      Callahan/NS  
Motion for Relief - filed 7/11; # 7, 8, 9, 10, 11 by Wells Fargo Financial  
Acceptance (Goldstein)  
**Default Ord ent 7/29 #14**

Carmody      CHARLIE & SUSAN SMITH      05-71627      Wick/S  
Motion to Redeem/Fix Value of Personal Property upon which Citifinancial  
Auto has lien (2001 Ford Ranger) , filed 7/15; # 17, 18

McDaniel      NATHAN SARGEANT      05-72579      Callahan/LM  
Motion for Relief - filed 7/19; # 6, 7, 8, 9 by Mortgage Lenders Network  
USA (Sasser)

Snodgrass      TODD & KELLY HAMBY      03-3181      Shortridge/GR  
Application of Trustee for Compensation filed 7/19; # 70

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### **9:30 A.M. - PRE-TRIAL CONFERENCES**

Gifford WILLIAM BUCKLES, JR. 05-70291 Widener/NS  
 Motion for Relief (*and Co debtor relief - Lisa Buckles*) relief) filed 7/22 #38,39,40  
 by First Horizon Home Loan (Wood)  
***No objections - Motion self executing and hearing cancelled***

Kendrick	RICHARD & YVETTE TROVATO	05-72642	Wick/JJ
	Motion for Relief - filed 7/26; # 9, 10, 11 by Systems & Services Technologies Inc service for Mitsubishi Motor Credit of America (Neyhart)		
	Movants certification filed 8/1 #17		
	<b><i>Default order tendered to WFSjr on 8/15</i></b>		

## 11:00 A.M - MISCELLANEOUS

Pro se	ROGER NEIL WELLS	04-75100	DIP/S &LM
	Motion for Relief - filed 1/26; #17, 18 by Highlands Union Bank (Hutton)		
	<b>ORDER continuing hearing on remaining issues to 10/5 @ 11:00 entered 8/8</b>		
	either on date fixed for hrg on D/S when filed or no later than 8/17 (today) @ 11		

Copeland COAL RIVER RESOURCES 04-988 DIP/GR  
(Jointly administered w/Steven R. Mullins Excavating; Tri-State Leasing and  
Hollow Mountain Resources cases)  
Re: Coal River Resources  
Oral arguments on Motions: Obj to Claim #7 (# 360, 361) Coal Sourcing & Sales  
(Esposito)  
***P/T conference held by TCC on 8/11; TRIAL set 10/18 @ 10 AM in BSG***

## 1:00 P.M. - CHAPTER 13 CONFIRMATIONS

Money	ANGELA MCGHEE	05-71256	Widener/SJ
	Mod Plan filed 6/27 set for conf on 8/17 at 1:00		
	Trustees Report and Show Cause filed 6/1 #17, <i>cont from 7/7</i>		
	–Note: Val. Mot filed 6/24 set for hrg on 7/20 @ 1:00		
	<b><i>Ord entered granting by default on 7/21 #27</i></b>		

Farthing      VERONICA HOLBROOK-LAMBERT      05-71951      Widener/SJ  
Plan filed 5/17 #4,6  
***CASE DISMISSED on DR's motion by order of 6/22***

**1:00 P.M. - CHAPTER 13 CONFIRMATIONS**

Lamie	WALTER SPRINKLE JR. Chapter 12 Plan filed 6/30; # 106, 109 <b>Obj:</b> filed by Bobby Gray (Lyle) <b>Obj:</b> New Peoples Bank (J Kilgore)  Application for Administrative Expenses filed 7/29 #119 by Bobby Gray (Lyle) <b>Obj:</b> by Debtor filed 8/9 #121	04-1592	DIP/NS
Lamie	RONALD & BARBARA OSBORNE Mod Plan filed 6/23; # 21, 22 Trustee Report & Showcause #11 and Obj of American General Finance #14 <i>– contd from prior hearing 6/6 to hear w/ mod plan when set</i>  <i>Case <b>DISMISSED</b> by ord entered 7/12 /331 (failure to comply with 6/15 order)</i>	05-70834	Widener/AF
Via	TINA COLEMAN 2 <sup>nd</sup> Mod Plan filed 3/21 #27 (cont from 5/4 , 5/18 & 6/22) Trustee showcause to dismiss/convert filed 3/8 #21 (cont from 5/4, 5/18 & 6/22) <i>–contd from 6/22 to file tax returns</i>	05-70332	Widener/AF
Lamie	MELISSA CARTER Trustee Motion to Dismiss or Convert Case filed 7/28 #23	03-03080	Widener/GR

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**1:00 P.M. - CHAPTER 13 CONFIRMATIONS**

Lamie	DAVID & KIMBERLY PALMER	05-71653	Widener/SJ
	Plan filed 4/28; # 3, 6		
	Trustee's Report and Show Cause filed 7/28 #21		
	<b>OBJ:</b> filed 8/2 #23 (USA/IRS (Eckert)		
	Obj to Claim #11: Select Portfolio Servicing/National Credit Financial		
	Services in amt of \$5910.23 for arrearages filed 7/11; # 10, <i>renoticed to date of</i>		
	<i>amended plan</i>		

Pro se	MARVIN & PAMELA CAIN	05-71956	Widener/SJ
	Plan due, conf ntc #6		
	<b>CASE DISMISSED by order of 6/9 pursuant to deficiency orders of 5/19</b>		
Largen	HELEN STEVENS	05-71806	Widener/JM
	Plan filed 5/9; # 4		
Largen	STEPHANIE HELTON	05-71777	Widener/LM
	Plan filed 5/6; # 3, 6		
	Trustee Report & Showcause filed 7/25; # 22		
	Valuation on Citifinancial Services filed 6/20 #11,12		
	Motion for Relief by New Peoples Bank (Kilgore) filed 7/5 #13,14,15		
	<i>cont from 7/20 &amp; 8/3</i>		
	<u>Response filed 7/21 #21</u>		
	<b>Ord of 8/10 temporarily denies motion and cont hearing to 8/17</b>		

Fleenor	LARRY SCARDO	05-71762	Widener/SL
	Amended Plan filed 8/1 #12 <i>with cert of serv</i>		
Largen	STEPHEN MORGAN	05-71663	Widener/SL
	Plan filed 4/28; # 4, 6		

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**1:00 P.M. - CHAPTER 13 CONFIRMATIONS**

Lamie	GREGORY MULLINS	05-71697	Widener/NS
	Plan filed 5/26; # 16		
	Trustee Report and show cause filed 8/11 #18		
Timoney	WAYNE & JILL HORTON	05-71601	Widener/LM

Plan filed 4/26; # 6, 8  
**OBJ:** USA/IRS filed 8/2 (Eckert)

Trustee Report and Show Cause filed 8/11 #18

Gifford	JAMES & KIMBERLY DILLOW Plan filed 4/22; #3, 6	05-71580	Widener/GR
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*–relief mot re: mortgage filed 8/2 - scheduled for 9/7 @ 1:00 p.m.*

Farthing	RODNEY & LYNN PATTON Plan filed 4/22; # 3, 6 Trustee Report & Showcause filed 7/18; # 12 <b><i>Lamie to appear for Farthing and present continuance order (Motion not filed as of 8/11)</i></b>	05-71573	Widener/LM
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Farthing	HOWARD AND PATRICIA HIBBS Plan filed 5/17 #4,6	05-71952	Widener/SJ
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Largen	CARLIE & BRENDA STUART Amended Plan #2 filed 6/28; # 21 , 22	05-71561	Widener/SL
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Valuation: 2005 Dodge Caravan : Owe \$25,855.61; Value: \$21,359.00  
Americredit filed 6/20; # 17, 28

Valuation: Kirby Vacuum: Owe\$1,583.45; Value \$800.00'; First Credit Services filed 6/20; # 19, 20

Lamie	RONNIE & CAROLYN DUTY Plan filed 4/29; # 4, 7	05-71691	Widener/NS
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Largen	SARA COMBS Plan filed 5/6; # 8, w/certif of service	05-71749	Widener/JJ
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Valuation on HSBC Auto Finance filed 6/20 #11, 12

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**1:00 P.M. - CHAPTER 13 CONFIRMATIONS**

Lamie	CHARLES & DEBRA CORSO Plan filed 5,23, # 2, 6 Trustee Report & Showcause: Dismiss/convert, filed 7/26; # 22	05-72043	Widener/JJ
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**1:30 P.M. - MISCELLANEOUS**

McDaniel	JOANNE EMMERT	04-74526	Widener/S
	Motion of USA/SSA , Intervenor, to Vacate Order of Deduction filed 7/6; #21, 22 (Eckert) <i>Agreed Order of 7/22 vacated deduction ord, cancels hearing</i>		
Largen	KEITH & JOELLA JOHNSON	04-03059	Widener/SJ
	Motion for Relief - filed 7/12; # 35, 36, 37, 38 (ntc amended to correct hearing date/time) by Countrywide Home Loans Inc (Sasser) <u>Response filed by Joella M Johnson &amp; Keith E. Johnson 7/22; # 40</u> <u>Response filed by Joella M Johnson &amp; Keith E. Johnson 7/25; # 41</u>		
Hutchinson	GARY AND SUSAN WALLACE	03-03003	Widener/JM
	Motion to Incur Debt filed 8/9 #41, 43 ( <i>renoticed from 8/9 to 8/17</i> )		
Hutchinson	DANNY & LOUETTA CANTER	03-2209	Widener/SO
	Motion of Debtors to Sell Real Estate and Use Proceeds to upgrade other Real Estate filed 6/8; # 37, <i>cont from 7/6 &amp; 7/20</i>		
Copeland	SOUTHERN EQUIPMENT X-CHANGE INC	05-72558	Callahan/SJ
	Motion for Relief - filed 7/22; # 7, 8, 9 , 10 by Ford Motor Credit co (Eason)		
Lamie	DEBORAH PENNINGTON	04-74658	Widener/SJ
	Motion for Relief - filed 7/25; #43, 44, 45 by June Long & Marion Rex Long (Largen) <u>Answer filed 8/3 #47</u>		

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**1:30 P.M. - MISCELLANEOUS**

Farthing	STUART AND LISA KITTS	05-70986	Widener/GR
	Motion for Relief filed 7/28 #15,16,17,19 by Vanderbilt Mortgage and Finance, Inc. (Maxwell)		

Answer filed 8/5 #21

***Consent Ord entered 8/15 resolves Motion for Relief***

Lamie JAMES AND DEBORAH DAVIS 03-04918 Widener/VS  
Motion to Incur Debt filed 8/9 #43,44,45 (with motion to shorten)

Hutchinson THOMAS AND PATRICIA WIDENER 02-04030 Widener/AF  
Motion to Incur Debt with Motion to Shorten time filed 8/9 #28

**2:00 P.M. - MISCELLANEOUS**

Lamie JOHN RINGHOFFER JR 03-4244 Widener/JJ  
Trustee Motion to Dismiss or Convert filed 6/15; # 22 *cont from 7/20*  
**CASE DISMISSED BY ORD ENTERED 7/26**

Timoney VIRGIL & SANDRA TILLER 03-3816 Widener/VS  
Trustee Motion to Dismiss or Convert filed 6/15; # 45 *cont from 7/20*

Timoney VIOLA TAYLOR 01-1126 Widener/S  
Trustee Motion to Dismiss or Convert filed 6/15; # 26 *cont from 7/20*  
***Ord of 8/15 withdraws Trustee Motion to Dismiss case***

**2:00 P.M. - PRE-TRIAL CONFERENCES**